

**MINUTES**  
**LINCOLN COUNTY BOARD OF COMMISSIONERS**  
**MONDAY, MARCH 5, 2018**

The Lincoln County Board of County Commissioners and the Planning Board met in a joint session with the Planning Board, at the Citizens Center, Commissioners Room, 115 West Main Street, Lincolnton, North Carolina, the regular place of meeting at 6:30 PM.

**Commissioners Present:**

Bill Beam, Chair

Martin Oakes

Carrol Mitchem

**Commissioners Absent:**

Anita McCall (NACo Conference in Washington, DC)

Richard Permenter (out of town)

**Others Present:**

Kelly G. Atkins, County Manager

Wesley Deaton, County Attorney

Amy S. Atkins, Clerk to the Board

Josh Grant, Program Manager

**Planning Board Members Present:**

Dr. Crystal Mitchem, Chair

Todd Burgin, Vice-Chair

Floyd Dean, Secretary

Matt Burton

Keith Gaskill

Jamie Houser

John Marino

Milton Sigmon

**Call to Order:** Chairman Beam called the meeting to order. He called for a Moment of Silence and led the Pledge of Allegiance.

**Adoption of Agenda:** Chairman Beam presented the agenda for the Board's approval.

**AGENDA**  
Lincoln County Board of Commissioners Meeting  
Monday, March 5, 2018  
6:30 PM

James W. Warren Citizens Center  
115 West Main Street  
Lincolnton, North Carolina

Call to Order - Chairman Beam

Moment of Silence

Pledge of Allegiance

1. Adoption of Agenda
2. Approval of Minutes - February 19, 2018
3. Zoning Public Hearing - Randy Hawkins

ZMA #647 Virginia Jerkins, applicant (Parcel ID# 34222) A request to rezone 0.49 acre from R-SF (Residential Single Family) to B-N (Neighborhood Business). The property is located at 1565 S. NC 16 Business Hwy., on the east side of N.C. 16 Business about 600 feet south of McIntosh Road, in Catawba Springs Township.

4. Resolution #2018-11: Resolution in Support of Marsy's Law
5. Update on the results of the hydraulic water model options to increase the purchase of water from the City of Lincolnton - Don Chamblee
6. Approval of low bidder with Hickory Construction Company, Inc. for the construction of the new Lincoln County PSAP - Don Chamblee
7. Approval of Low Bidder with JG Contracting Company, Inc., for construction and installation of a 100-foot monopole tower at the new Lincoln County PSAP - Don Chamblee
8. Request for approval for Health Department furninture for lobby and conference rooms - Don Chamblee
9. Approval of contract with Stewart, Cooper, Newell for Task 1 in the amount of \$34,000 for the study and design for the new Animal Services Renovation - Josh Grant
10. Approval of RdM in the amount of \$130,850 for the study and design for the Senior Services renovation - Josh Grant
11. Approval of Contract to Audit Accounts - Deanna Rios
12. Public Comments (15 minutes allowed per Rules of Procedure – 3 minutes per person)
13. Other Business
14. Closed Session to consult with the County Attorney and to discuss real estate

Adjourn

**UPON MOTION** by Commissioner Oakes , the Board voted unanimously to adopt the agenda as presented.

**Approval of Minutes:** **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve February 19, 2018 minutes as presented.

**New Business/Advertised Public Hearings:** Randy Hawkins presented the following zoning case:

**ZMA #647 – Virginia Jerkins, applicant:**

The applicant is requesting the rezoning of a 0.49-acre lot from R-SF (Residential Single Family) to B-N (Neighborhood Business).

**Site Area & Description**

The subject property is located at 1565 S. NC 16 Business Hwy., on the east side of N.C. 16 about 600 feet south of McIntosh Road. It is adjoined by property zoned B-N and R-SF. Land uses in this area included business and residential. County water is available at this location. This property is part of an area designated by the Lincoln County Land Use Plan as Neighborhood Business, appropriate for small-scale retail and service establishments.

**Additional Information**

**Permitted uses**

Under current R-SF zoning: modular home, site-built house, church.

Under proposed B-N zoning: retail sales, offices, personal services, etc.

**Adjoining zoning and uses**

East: zoned B-N, undeveloped land.

South: zoned B-N, business.

West: zoned B-N, business

North: zoned R-SF, vacant commercial building and residence.

Chairman Beam opened the public hearing concerning ZMA #647 Virginia Jerkins, applicant.

Virginia Jerkins, applicant, said she owns the building across the street from Lowesville Café and this parcel is two doors up. She said she wants to build an identical building to the one she already owns for her real estate office.

Being no additional speakers, Chairman Beam closed the public hearing.

The Planning Board recessed their meeting to the 2<sup>nd</sup> floor balcony.

**Resolution #2018-11: Resolution in Support of Marsy's Law:** Justin Rice presented the Resolution in Support of Marsy's Law and asked the Board's approval.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to adopt Resolution #2018-11 as presented.

**STATE OF NORTH CAROLINA**

**COUNTY OF LINCOLN**

**RESOLUTION #2018-12: RESOLUTION SUPPORTING HB 551/SB 595**

**WHEREAS**, Marsy's Law for North Carolina and advocacy organizations statewide are dedicated to guaranteeing victims' rights and providing a voice; and

**WHEREAS**, Marsy's Law for North Carolina supporters agree victims should always be treated with fairness and respect throughout the criminal justice process, protected from the defendant, reasonably heard at public proceedings regarding their case, and given a voice through the process of the case; and

**WHEREAS**, per the Federal Bureau of Investigation's (FBI) most recent "Crime in the United States" report, in 2013 a total of 33,700 North Carolinians were the victim of Violent "Index Crimes" including: murder, rape, robbery, aggravated assault, burglary, larceny, motor vehicle theft and arson; and

**WHEREAS**, Marsy's Law for North Carolina will ensure that victims receive the same rights that are afforded to criminals and have rights to notification of release, hearings, appropriate restitution, and the right to speak during criminal proceedings; and

**WHEREAS**, Victims' Rights is a non-partisan, non-political issue and Marsy's Law is a common sense approach to ensuring Victims' Rights.

**NOW THEREFORE, BE IT RESOLVED** that the Board of Commissioners of Lincoln County supports HB 551/SB 595 (Marsy's Law) and encourage our citizens to join in the commitment to protect the rights of North Carolina crime victims.

**SUPPORT FOR HB 551/SB 595 (MARSY'S LAW)**

In and for Lincoln County, and encourage all of our citizens to join in the commitment to protect the rights of North Carolina crime victims.

ADOPTED this the 5<sup>th</sup> day of March, 2018.

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Bill Beam, Chairman

ATTEST:

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Amy S. Atkins, Clerk to the Board

**Update on the Results of the Hydraulic Water Model Options:** Don Chamblee introduced Paul Smith with Wolpert, who gave a presentation on Lincoln County Water System Improvements. The presentation is hereby incorporated and attached to this set of minutes.

Mr. Smith's recommendations are as follows:

- Move forward with the County Water Plant Expansion Project to meet the growing water demand in the Eastern Pressure Zone.
- Move forward with the Eastern Water System Distribution Improvements to increase water distribution and provide reliable service to your water customers.
- Investigate increasing the Lincolnton Water Supply with the Reepsville Project. The project could supply approximately 0.5 MGD of water into the County Water System.
- Investigate upgrading the Bethel Pump Station Water supply in its current conditions to help meet peak demands in the short term.
- A Comprehensive Master Planning effort should be performed if the County would like to analyze a large volume City of Lincolnton connection.

**Approval of Low Bidder with Hickory Construction Company, Inc. for the construction of the new Lincoln County PSAP:** Don Chamblee requested approval of the low bid of Hickory Construction Company for the construction of the New Lincoln County PSAP.

Lincoln County received and opened sealed bids on February 20, 2018. As recommended by Little Diversified, the architectural firm for the project, Public Works is requesting approval to award the contract for construction to Hickory Construction Company, Inc.

Mr. Chamblee requested that the Board of Commissioners authorize the Chairman to execute a base contract and selected alternates with Hickory Construction Company, Inc. for \$4,828,920.00.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the low bid of Hickory Construction Company, Inc. for the construction of the new Lincoln County PSAP.

**Request for approval for Health Department furniture for lobby and conference rooms:** Don Chamblee presented a request to replace 30 year old furniture for public areas in the new Health Department building.

The current main lobby and WIC lobby furniture was given to the Health Department (used) approximately 15-20 years ago. It is in very poor, ripped condition. In the new

building, there will be 2 main lobbies (on 2 floors) instead of 1, plus the WIC wait room and nutrition classroom which need additional seating and tables. The main conference room also will need new tables and chairs to seat approximately 100 people (for shared use by other County departments). The current main conference room furniture is old, but with cleanup could be reusable in the other 3 smaller meeting rooms in the new building.

Comparative quotes were obtained from 2 companies (the 3rd declined). Mr. Chamblee requested approval of quote from Kennedy Office, as it is the lowest, and met our requirements best. All of the new furniture is cleanable and the seat cushions can be replaced if needed in the future without buying new chairs.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the quote from Kennedy Office for furniture for new Health Department.

**Approval of Contract with Stewart, Cooper, Newell Architects, P.A. for the study and design for the Animal Services Renovation:** Josh Grant presented the following:

Purchasing issued RFQ 2017-1012 requesting design services for the renovation of Animal Services. County staff scored five firms, shortlisted three and conducted interviews. Stewart, Cooper, Newell received the highest interview score.

Mr. Grant asked for the Board's approval of a contract with Stewart, Cooper, Newell for Task 1 in the amount of \$34,000.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the contract with Stewart, Cooper, Newell Architects, P.A. for the study and design for Task 1, in the amount of \$34,000, as presented.

**Approval of RdM in the amount of \$130,850 for the study and design for the Senior Services renovation:** Josh Grant asked for the Board's approval of a contract with RdM Architecture, P.A. for the study and design for the Senior Services Renovation. Purchasing issued RFQ 2017-0707 requesting design services for the renovation of Senior Services. County staff interviewed the four firms that submitted. RdM received the highest interview score.

**UPON MOTION** by Commissioner Mitchem, the Board voted unanimously to approve the contract with RdM in the amount of \$130,850 for the study and design of the Senior Services Renovation.

**Approval of Contract to Audit Accounts:** Deanna Rios asked for the Board's approval of the annual Contract to Audit Accounts with Milton Starnes and Associates.

**UPON MOTION** by Commissioner Oakes, the Board voted unanimously to approve the Contract to Audit Accounts as presented.

**Public Comments:** Chairman Beam opened Public Comments.

Being no speakers, Chairman Beam closed Public Comments.

**Closed Session:** **UPON MOTION** by Commissioner Oakes, the Board entered Closed Session to consult with the County Attorney and to discuss real estate.

The Board returned to open session and Chairman Beam announced that no action was taken in Closed Session.

**Adjourn:** **UPON MOTION** by Commissioner Oakes, the Board voted unanimously to adjourn.